

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

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**The Minutes**

**June 16, 2003**

At 9:30 a.m., the court met in the Library & Courts Building to begin its court calendar session. Present were Blease, Associate Justice; Raye, Associate Justice; Kolkey, Associate Justice; and Facey, bailiff. Calendar called.

**C041091 CALIF. CONSUMER HEALTH CARE, ETC. v. DEPT. OF MANAGED HEALTH CARE, ETC.**

Cause called. Harvey S. Frey argued for appellants. Patricia Sturdevant argued for respondents. Cause submitted.

At 10:05 a.m., the court recessed. At 10:06 a.m., the court reconvened.

**C038631 THE PEOPLE v. KUBBY**

Mark A. Johnson, Deputy Attorney General, argued for appellant. Scott Concklin, court appointed counsel, argued for respondent. Cause submitted.

At 10:28 a.m., the court recessed. At 10:31 a.m., the court reconvened with Nicholson, Associate Justice; Raye, Associate Justice; and Robie, Associate Justice.

**C040462 THE PEOPLE v. LINDSEY**

Cause called. Robert W. Gehring, court appointed counsel, argued for appellant. Mark A. Johnson, Deputy Attorney General, argued for respondent. Cause submitted.

At 10:50 a.m., the court recessed. At 10:52 a.m., the court reconvened with Sims, Associate Justice; Raye, Associate Justice; and Robie, Associate Justice.

**C041698 EVANS v. 21ST CENTURY INSURANCE COMPANY**

Cause called. Thomas P. Meyer argued for appellant. Mark G. Bonino argued for respondent. Cause submitted.

At 11:15 a.m., the court recessed until 9:30 a.m., Tuesday, June 17, 2003.

**C042688 THE PEOPLE v. PATTERSON (Not for Publication)**

The judgment is modified... As modified, the judgment is affirmed.

SCOTLAND, P.J.

We concur: Davis, J.  
Robie, J.

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**The Minutes**

**June 17, 2003**

At 9:30 a.m., the court met in the Library & Courts Building to begin its court calendar session. Present were Sims, Associate Justice; Raye, Associate Justice; Robie, Associate Justice; and Rios, bailiff. Calendar called.

**C041899      FENN et al. v. SHERRIFF**

Cause called. Frank E. Dougherty argued for appellants. William D. Kopper argued for respondent. Cause submitted.

Court recessed at 10:00 a.m. until 9:30 a.m., Monday, June 23, 2003.

**C038058      THE PEOPLE v. COCKBURN      (Certified for Partial Publication)**

The judgment is affirmed. The trial court is directed to prepare a corrected abstract of judgment to reflect 2A for violation of section 273a, subdivision (a) and 1B for violation of section 243, subdivision (d) and to forward a certified copy of the corrected abstract to the Department of Corrections.

SIMS, Acting P.J.

We concur:    Davis, J.  
                  Nicholson, J.

**C040364      THE PEOPLE v. TOLOY      (Not for Publication)**

The judgment is affirmed.

HULL, J.

We concur:    Nicholson, Acting P.J.  
                  Raye, J.

**C040441      THE PEOPLE v. VARGAS      (Not for Publication)**

The judgment is affirmed. The trial court is directed to amend the abstract of judgment to show the imposition of one \$50 laboratory analysis fee (§ 11372.5), a \$50 penalty assessment (Pen. Code, § 1464), and a \$35 penalty assessment (Gov. Code, § 76000), on count 2 only. The court is further directed to send a certified copy of the amended abstract of judgment to the Department of Corrections.

SCOTLAND, P.J.

We concur:    Sims, J.  
                  Davis, J.

**C040679      THE PEOPLE v. WILLIAMSON      (Not for Publication)**

The judgment is affirmed.

SIMS, J.

We concur:    Scotland, P.J.  
                  Robie, J.

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**June 17, 2003, continued**

**C041623      THE PEOPLE v. WOOLEVER, JR.      (Not for Publication)**

The judgment is affirmed.

SIMS, J.

We concur:    Scotland, P.J.

Robie, J.

**C042108      THE PEOPLE v. BYRNE      (Not for Publication)**

Count I is dismissed. The trial court is directed to prepare an amended abstract of judgment reflecting its order that defendant submit samples pursuant to section 296 and recommendation he undergo counseling pursuant to section 1203.096, subdivision (a), and that presentence conduct credit was imposed pursuant to Penal Code section 2933.1. The clerk shall forward a certified copy of the amended abstract of judgment to the Department of Corrections. The judgment is affirmed.

DAVIS, Acting P.J.

We concur:    Nicholson, J.

Hull, J.

**C041916      In re JORDAN L. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH  
AND HUMAN SERVICES v. KRYSTAL L.      (Not for Publication)**

The judgment of disposition as to Jordan is affirmed. The appeal is dismissed as to Shea.

SCOTLAND, P.J.

We concur:    Sims, J.

Robie, J.

**June 18, 2003**

**C040397      THE PEOPLE v. SHAW      (Not for Publication)**

The judgment is modified... As modified, the judgment is affirmed. The superior court shall issue an amended abstract of judgment reflecting these modifications and forward a certified copy to the Department of Corrections.

ROBIE, J.

We concur:    Scotland, P.J.

Davis, J.

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**The Minutes**

**June 18, 2003, continued**

**C042090      THE PEOPLE v. SMITH      (Not for Publication)**  
The judgment is affirmed. The trial court is directed to prepare a corrected abstract of judgment reflecting the court's recommendation that defendant participate in drug and alcohol counseling. The court is further directed to forward a certified copy of the corrected abstract of judgment to the Department of Corrections.  
We concur:      ROBIE, J.  
                     Scotland, P.J.  
                     Davis, J.

**June 20, 2003**

**C039580      THE PEOPLE v. SALAS      (Not for Publication)**  
The judgment is affirmed.  
                     DAVIS, Acting P.J.  
We concur:      Nicholson, J.  
                     Kolkey, J.

**C039735      THE PEOPLE v. INGRAM      (Not for Publication)**  
The judgment is affirmed.  
                     DAVIS, Acting P.J.  
We concur:      Sims, Acting P.J.  
                     Nicholson, J.

**C040412      THE PEOPLE v. RAMOS      (Not for Publication)**  
The judgment is affirmed.  
                     KOLKEY, J.  
We concur:      Davis, Acting P.J.  
                     Morrison, J.

**C040576      THE PEOPLE v. HERNANDEZ      (Not for Publication)**  
The clerk of the superior court is directed to prepare an amended abstract of judgment (1) adding 621 actual days of presentence custody credit, plus 310 days of conduct credit, as of January 16, 2002, and (2) correcting court 4 to indicate that defendant was convicted of Health & Safety Code section 11377, subdivision (a), and to forward a certified copy of the amended abstract to the Department of Corrections. In all other respects, the judgment is affirmed.  
                     DAVIS, Acting P.J.  
We concur:      Nicholson, J.  
                     Robie, J.

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**The Minutes**

**June 20, 2003, continued**

- C040794      THE PEOPLE v. LYNN      (Not for Publication)**  
The judgment on count five, petty theft with a like prior, is reversed. As to all other matters, the judgment is affirmed.  
NICHOLSON, J.  
We concur:    Blease, Acting P.J.  
                 Raye, J.
- C041646      THE PEOPLE v. JOKSCH      (Not for Publication)**  
The judgment is modified... As modified, the judgment is affirmed. The trial court is directed to amend the abstract of judgment accordingly and to forward a certified copy of the amended abstract to the Department of Corrections.  
SCOTLAND, P.J.  
We concur:    Davis, J.  
                 Nicholson, J.